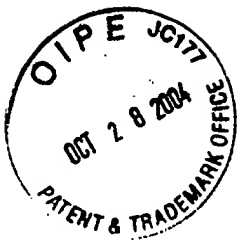


JPV



PATENT
Customer Number 22,852
Attorney Docket No. 03438.0082

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Andreas JAGTØYEN)
Serial No.: 09/937,304) Group Art Unit: 2859
Filed: December 20, 2001) Examiner: Gail Kaplan Verbitsky
For: DEVICE AND SYSTEM FOR) Confirmation No.: 8395
MONITORING INTERNAL)
TEMPERATURE OF)
INACCESSIBLE OR MOVING)
PARTS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**LETTER REQUESTING ACKNOWLEDGMENT
OF SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
FILED UNDER 37 C.F.R. § 1.97**

A Supplemental Information Disclosure Statement was filed in this application on February 17, 2004. In reviewing our files, we find that we have not received from your Office a copy of the Form PTO-1449 which would serve as acknowledgment of receipt of the Information Disclosure Statement and as an indication that the references were considered by the examiner.

A copy of the Information Disclosure Statement, the Information Disclosure Citation on Form PTO-1449, and of the post card that was filed with the Information Disclosure Statement and was stamped by the U.S. Patent and Trademark Office to indicate receipt of the papers, is attached.

PATENT
Customer Number 22,852
Attorney Docket No. 03438.0082

The examiner is respectfully requested to send us a duplicate of the copy of the Form PTO-1449 which both acknowledges receipt of the Information Disclosure Statement and the Information Disclosure Citation, and indicates that the references were considered by the Examiner.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: **OCT 28 2004**

By: 

Arthur S. Garrett
Reg. No. 20,338

ASG/TDJ



PLEASE STAMP TO ACKNOWLEDGE RECEIPT OF THE FOLLOWING:

In Re Application of: Andreas JAGTOYEN

Application No.: 09/937,304

Group Art Unit: 2859

Filed: December 20, 2001

Examiner: Gail Kaplan Verbitsky

For: DEVICE AND SYSTEM FOR MONITORING INTERNAL TEMPERATURE OF
INACCESSIBLE OR MOVING PARTS

-
1. Supplemental Information Disclosure Statement Under 37 C.F.R. § 1.97(c) (3 pages)
 2. PTO Form 1449 (w/three references and Chinese Office Action)
 3. \$180.00 Check

Dated February 17, 2004

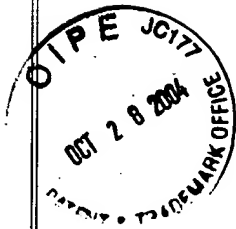
Docket No.: 03438.0082-00000

ASGarrett/TDJennings/LDCClark - Mail Drop R-977B



(Due Date: 2/29/04)

Dkt# 02-18-04 PM α



PATENT
Customer No. 22,852
Attorney Docket No. 03438.0082

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Andreas JAGTOYEN) Group Art Unit: 2859
)
Application No.: 09/937,304) Examiner: Gail Kaplan Verbitsky
)
Filed: December 20, 2001)
)
For: DEVICE AND SYSTEM FOR)
MONITORING INTERNAL)
TEMPERATURE OF)
INACCESSIBLE OR MOVING)
PARTS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p). Copies of the listed documents are attached.

A translation of the Abstract of EP 0627716 and a translation of the Abstract and claim 1 of CN 2103135 are also attached. A translation of the text of the Chinese Office Action is also attached as a convenience to the Examiner. All of these translations are unverified and except for the Abstract of EP 0627716 were provided to the undersigned by a Norwegian patent attorney. Please refer to the translation of the Chinese Office Action for the relevance of the listed documents. If a complete copy of CN 2103135 is received, it will be forwarded to the Examiner.

WO9709596 was also cited in the Chinese Office Action but this patent publication is already of record in the subject application. In the heading of the Abstract of EP 0627716, DE 4312596 is stated to be an "equivalent." DE 4312596 was cited in an earlier Information Disclosure Statement filed on December 17, 2001. Also, the German counterpart application No. 19723127 of the cited Australian application AU 199869854 was cited in the same Information Disclosure Statement.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

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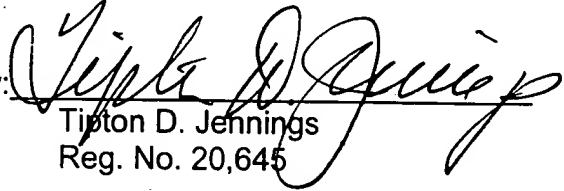
If there is any additional fee due in connection with the filing of this Statement,
please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: February 17, 2004

By:


Tipton D. Jennings
Reg. No. 20,645

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OMB No. 0651-0011

INFORMATION DISCLOSURE CITATION

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|------------------|-------------------|------------|------------|
| Atty. Docket No. | 03438.0082 | Appln. No. | 09/937,304 |
| Applicant | Andreas JAGTOYEN | | |
| Filing Date | December 20, 2001 | Group: | 2859 |

U.S. PATENT DOCUMENTS

| Examiner Initial* | Document Number | Issue Date | Name | Class | Sub Class | Filing Date If Appropriate |
|-------------------|-----------------|------------|------|-------|-----------|----------------------------|
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FOREIGN PATENT DOCUMENTS

| Document Number | Publication Date | Country | Class | Sub Class | Translation Yes or No |
|-----------------|------------------|-----------|-------|-----------|-----------------------|
| 199869854 | Dec. 10, 1998 | Australia | | | |
| 0 627 716 | Apr. 18, 1994 | EPO | | | Abstract |
| 2103135 | Apr. 29, 1992 | China | | | Abstract/Claim 1 |
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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| Translation of text of Chinese Office Action issued September 12, 2003 |
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|---|---|
| Examiner | Date Considered |
| *Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |
| Form PTO 1449 | Patent and Trademark Office - U.S. Department of Commerce |